

## **REMARKS**

Applicants, their principal representatives in Germany, and the undersigned have carefully reviewed the first Office Action on the merits in the subject U.S. patent application, together with the prior art cited and relied on in the rejections of the claims. In response, the claims have been amended. It is believed that the claims now pending in the subject application are patentable over the prior art cited and relied on. Reexamination and reconsideration of the application, and allowance of the claims is respectfully requested.

The subject application is directed to, and claims a guide element of a web processing machine, such as a printing press. As may be seen in Fig. 1, the guide element is generally in the form of a tube 01 which is usable to change the direction of travel of a web 02 which passes around the guide element. Referring to Fig. 2, the guide element 01 includes a rigid load bearing support, generally at 07. This support is at least partially fluid-permeable due to the existence of a plurality of fluid passages 09. The rigid load bearing support 07 has a circumferential surface which, as may also be seen in Fig. 2, is completely covered, at least in one longitudinal section, with a layer of micro-porous material, generally at 06. The layer of micro-porous material 06 covers the at least partially fluid-permeable load bearing support and allows the emergence of a fluid under pressure. That fluid emergence is allowed by the provision of a plurality of micro-openings in the layer of micro-porous material. Such micro-openings are depicted schematically at 03 in Fig. 2. These micro-openings are open pores which are formed in the layer of the porous material and are usable to allow the emergence of the fluid under pressure around at least a portion of the circumferential surface of the guide element. As depicted in Fig. 1, the guide element is supported so that it can be positioned in a selected one of at least two angular positions in respect to a direction of travel of a web contacting the guide element.

In the first Office Action of November 23, 2007, claims 35, 36, 38, 40, 50-52, 54, 56, 60, 62, 64, 66, 68 and 70-74 were withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species. Those claims have now been cancelled from

the subject application. Applicants again expressly reserve the right to file one or more divisional patent application directed to the inventions or groups of inventions recited in those now cancelled claims.

Claims 34, 37, 39, 41, 44-49, 53, 57-59, 61, 65, 67 and 69 were rejected under 35 USC 103(a) as being unpatentable over U.S. patent No. 7,025,303 to Meyer in view of U.S. patent No. 5,464,143 to Hansen. Claims 42 and 43 were rejected under 35 USC 103(a) as being unpatentable over Meyer in view of Hansen and further in view of JP 07-053102, cited in the Office Action as JP-53102.

It is respectfully submitted that U.S. patent No. 7,025,303 to Meyer is not available as a reference in the subject U.S. patent application. The Meyer patent issued from an application filed June 16, 2004. That utility application claimed priority to a U.S. provisional patent application filed June 17, 2003. The Meyer patent is thus entitled to an effective filing date of June 17, 2003.

The subject U.S. application is the U.S. national phase of PCT/DE2003/003474, filed October 20, 2004. That PCT application claims priority to four previously filed German applications. The first three of those were all filed prior to the effective filing date of the Meyer reference. At least one of those, DE 103 22 651.6, which was filed in Germany on May 20, 2003, provides a clear disclosure of the subject invention. A copy of the certified priority document DE 103 22 651.6, as provided by the German Patent Office to WIPO, is submitted herewith. Also submitted herewith is a verified translation of DE 103 22 651.6. The applicants hereby rely on the May 20, 2003 filing date of that German priority application. Since that May 20, 2003 filing date is before the June 17, 2003 earliest filing date of the Meyer patent, that document is not available as a reference against the subject U.S. patent application.

The secondary reference to Hansen clearly does not disclose the subject invention, as recited in the claims currently pending in the subject application. Hansen is a good example of the prior art which the subject invention overcomes. In the Hansen device, there is provided a

width adjustable angle bar assembly for a printing press. As may be seen in Fig. 1, the angle bar assembly, generally at 10, includes a turning bar 18 which has a cavity 20. A plurality of apertures 30 are formed in the turning bar 18. As is depicted in Fig. 3, the turning bar 18 has the plurality of apertures 30 along its length and about a portion of its circumference. The view of the turning bar 18, as seen in Fig. 1, appears to indicate that these apertures 30 are not situated about the entire circumference of the turning bar 18.

The specification of the Hansen reference is silent regarding the specific size and location of the various apertures 30. The reference numeral 30 appears at least seven times in the specification of the Hansen reference. In no instance is there any discussion of a specific size of the apertures 30 or of the specific constituent makeup of the angle bar 18. It must thus be assumed that the apertures 30 and the tube 18 are generally conventional in structure and in operation.

It is understood that patent drawings are not to be construed as scale drawings. However, patent drawings can be considered to be an accurate depiction of the intended invention. In the Hansen patent, the plurality of openings 30 are clearly well above any size that could be considered as being micro-openings. Additionally, they appear to be formed directly in the body of the turning bar 18.

The Substitute Specification of the subject U.S. patent application discusses, at paragraph 015 thereof, the fact that the prior art conventional openings in a turning bar, such as the openings 30 shown in the Hansen patent, apply point to point forces on the material which is being looped around, or which passes around the turning bar. This is to be contrasted with the effect of a formed air cushion that is provided by the distribution of the micro-openings in accordance with the present invention. Additionally, because of the generally reduced sizes of the micro-openings, the volume of fluid under pressure, which is required to support the web or sheet, as it passes around the turning bar, is greatly reduced. The result is that fluid flow losses are greatly reduced.

It is believed that claim 34, as filed, and even more clearly as amended, is not rendered obvious by the Hansen reference. Claim 34 recites the provision of a layer of a micro-porous, air permeable material on the entire circumferential surface of a rigid, at least partially fluid permeable support. The plurality of micro-openings of the micro-porous material are open pores formed in the layer of micro-porous material. These open pores are adapted to allow emergence of a fluid under pressure from the fluid-permeable support material around at least a portion of the circumferential surface of at least one longitudinal section of the guide element. Such a structure is certainly not disclosed or suggested in the Hansen reference.

All of the rest of the claims currently pending in the subject application depend from believed allowable, currently amended claim 34. Because of the removal of the Meyer patent as a reference, all of these dependent claims are also believed to be allowable. The secondary reference JP 7-053102 has been reviewed. It is directed to a web drying device that uses a sintered metal roller bar which is provided with multiple micro holes. This secondary reference is not readily combinable with the other secondary Hansen reference because it discloses a web drying device, not a web-turning angle bar. Additionally, if the sintered metal roller bar of the JP 7-053102 reference were to be combined with the structure of the Hansen device, the result would be to replace the tubular turning bar 18 of Hansen with the sintered metal roller bar of JP 7-053102. Neither would render obvious the subject invention, as recited in currently amended claim 34 and in the claims which depend from claim 34.

A number of additional references were cited by the Examiner in the Office Action of November 23, 2007, as listed on the PTO-892 form which accompanied the Office Action. Since none of these references were relied on in the rejections of the claims, no further discussion thereof is believed to be necessary.


## SUMMARY

The claims withdrawn from consideration by the Examiner have been cancelled. A copy of one of the certified priority documents, and a verified translation thereof, to remove the primary reference, are submitted. Various ones of the claims now pending in the application have been amended. It is believed that the claims now pending in the subject U.S. patent application are patentable over the prior art cited and relied on. Allowance of the claims, and passage of the application to issue, is respectfully requested.

Respectfully submitted,

Johannes BOPPEL et al.  
Applicants

JONES, TULLAR & COOPER, P.C.  
Attorneys for Applicant

  
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Douglas R. Hanscom  
Reg. No. 26,600

February 25, 2008  
JONES, TULLAR & COOPER, P.C.  
P.O. Box 2266 Eads Station  
Arlington, Virginia 22202  
(703) 415-1500  
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